



**LAS VIRGENES MUNICIPAL WATER DISTRICT**  
4232 Las Virgenes Road, Calabasas, California

**MINUTES**  
**REGULAR MEETING**

5:00 PM

November 24, 2009

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the Flag was given by President Caspary.

**1. CALL TO ORDER AND ROLL CALL**

**A** Call to order and roll call.

The meeting was called to order at 5:01 p.m. by President Caspary in the District offices. Secretary Peterson called the roll. Those answering present were Directors Bowman, Caspary, Peterson, and Renger. Director Smith attended the meeting via teleconference.

**2. APPROVAL OF AGENDA**

**B** Approval of the agenda.

Director of Finance and Administration Schmidt stated Closed Session item 12. A 2. Personnel - Negotiations - Employee Compensation & Benefits would be discussed during General Manager Reports.

*On a motion by Director Lee Renger, seconded by Director Charles Caspary, the Board of Directors voted 5-0 to Approve by roll call vote the agenda for the Regular Meeting of November 24, 2009 as amended; Closed Session 12.A 2. Personnel - Negotiations - Employee Compensation & Benefits to be heard during Non-Action Items 10.C - General Manager Reports.*

*AYES: Director(s) Bowman , Caspary , Peterson , Renger , Smith*

**3. PUBLIC COMMENTS**

There were no speaker cards received from the public. Howard Rodgers provided Clerk of the Board Conklin with a two page public comment letter from Ron Weingart regarding allocations and conservation; and stated that Mr. Weingart was unable to attend the meeting. A copy of

the letter was provided to the Board of Directors and General Manager. President Caspary stated the document would be entered into the public record in the absence of Mr. Weingart.

**4. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS**

- A** RESOLUTION NO. 11-09-2395 OF LAS VIRGENES MUNICIPAL WATER DISTRICT, AUTHORIZING THE EXECUTION AND DELIVERY OF A FORM OF INSTALLMENT PURCHASE CONTRACT IN THE AMOUNT OF \$33,000,000 FOR THE 2009 SANITATION SYSTEM REFUNDING REVENUE BONDS

Adopt the proposed Resolution 11-09-2395, making findings, and authorizing and directing representatives of the District to undertake the actions described herein.

**RESOLUTION NO. 11-09-2395: A RESOLUTION OF LAS VIRGENES MUNICIPAL WATER DISTRICT, AUTHORIZING THE EXECUTION AND DELIVERY OF A FORM OF INSTALLMENT PURCHASE CONTRACT FOR THE PURPOSES OF CAUSING THE ISSUANCE OF APPROXIMATELY \$33,000,000 PRINCIPAL AMOUNT OF THE CALLEGUAS-LAS VIRGENES PUBLIC FINANCING AUTHORITY 2009 SANITATION SYSTEM REFUNDING REVENUE BONDS (LAS VIRGENES MUNICIPAL WATER DISTRICT), AUTHORIZING PREPAYMENT OF INSTALLMENT PAYMENTS AND REDEMPTION OF BONDS, AUTHORIZING THE EXECUTION AND DELIVERY OF A FORM OF ESCROW AGREEMENT AND APPOINTING AN ESCROW BANK, AUTHORIZING THE EXECUTION AND DELIVERY OF A FORM OF BOND PURCHASE AGREEMENT, AUTHORIZING THE EXECUTION AND DELIVERY OF A FORM OF CONTINUING DISCLOSURE UNDERTAKING AND APPROVING A FORM OF OFFERING DOCUMENT.**

(Reference is hereby made to Resolution No. 11-09-2395 on file in the District's Resolution Book and by this reference the same is incorporated herein and made a part of hereof.)

Jim Fabian of Fieldman Rolapp & Associates discussed the proposed bond sale and schedule of events; and notified the Board that Las Virgenes had qualified for a "AA Rating" thus lowering the final amount of the bond refinance to under \$30 million.

President Caspary stated he participated in the bond meeting and conference call with Standard & Poor's.

*On a motion by Director Lee Renger, seconded by Director Glen Peterson, the Board of Directors voted 5-0 to Approve*

*by roll call vote Resolution No. 11-09-2395 as presented in the recommendations.*

*AYES: Director(s) Bowman , Caspary , Peterson , Renger , Smith*

- B** LVMWD Comprehensive Annual Financial Report for the Fiscal Year Ending June 30, 2009

Receive and file the CAFR for FY 2008-09.

Nitin Patel of Diehl, Evans & Company, LLP gave a presentation entitled "District and Auditors' Responsibilities" and discussed the Las Virgenes audit for fiscal year 2008-09.

*On a motion by Director Glen Peterson, seconded by Director Charles Caspary, the Board of Directors voted 5-0 to Approve by roll call vote the recommendation as presented.*

*AYES: Director(s) Bowman , Caspary , Peterson , Renger , Smith*

At 5:17 p.m. the Regular Meeting of Las Virgenes Municipal Water District adjourned to the Calleguas-Las Virgenes Public Financing Authority Meeting to discuss bond refinancing with the Joint Board of Directors.

The Calleguas-Las Virgenes Public Financing Authority Meeting concluded at 5:20 p.m.

The Regular Meeting of Las Virgenes Municipal Water District readjoined at 5:27 p.m. after a brief recess.

**C** Legislative and Regulatory Updates

None.

**5. CONSENT CALENDAR**

*On a motion by Director Joseph Bowman, seconded by Director Lee Renger, the Board of Directors voted 5-0 to Approve by roll call vote Consent Calendar items 5A-5D as presented.*

*AYES: Director(s) Bowman , Caspary , Peterson , Renger , Smith*

**A** List of Demands: November 24, 2009. Approve

**B** Investment Report for the Month of October 2009. Approve

**C** Claim by Steve Freedland. Deny

**D** Call for Bids for Ford Meter Parts. Approve

**6. TREASURER**

None.

**7. GENERAL MANAGER**

**A** Proposed Ordinance: Metropolitan Water District Rate Increase Pass-Through

The full reading of the proposed Ordinance 11-09-260 amending Ordinance No. 11-86-161 (Las Virgenes Code) as it relates to Commodity Charges for Potable Water Service be waived, and the Board order publication within 30-days of adoption using a summary of the ordinance.

The Board by a roll call vote of Ayes: Noes: Abstain: Absent: that the proposed Ordinance 11-09-260 amending Ordinance No. 11-86-161 (Las Virgenes Code) as it relates to Commodity Charges for Potable Water Service, be given second reading by title only, be passed, approved and adopted as presented.

(Reference is hereby made to Ordinance 11-09-260 on file in the District's Ordinance Book and by this reference the same is incorporated herein and made a part hereof.)

*On a motion by Director Joseph Bowman, seconded by Director Lee Renger, the Board of Directors voted 5-0 to Approve by roll call vote the recommendations as presented.*

**ORDINANCE NO. 11-09-260: AN ORDINANCE OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT AMENDING ORDINANCE NO. 11-86-161 (LAS VIRGENES CODE) AS IT RELATES TO COMMODITY CHARGES FOR**

**POTABLE WATER SERVICE.**

*AYES: Director(s) Bowman , Caspary , Peterson , Renger , Smith*

**B Proposed Ordinance: Schedule of Adjustments**

The full reading of the proposed Ordinance 11-09-259 amending Ordinance No. 11-86-161 (Las Virgenes Code) by Creating a Schedule of Adjustments to Pass-Through Wholesale Cost Increases be waived, and the Board order publication within 30-days of adoption using a summary of the ordinance.

The Board by a roll call vote of Ayes: Noes: Abstain: Absent: that the proposed Ordinance 11-09-259 amending Ordinance No. 11-86-161 (Las Virgenes Code) by Creating a Schedule of Adjustments to Pass-Through Wholesale Cost Increases, be given second reading by title only, be passed, approved and adopted as presented.

(Reference is hereby made to Ordinance No. 11-09-259 on file in the District's Ordinance Book and by this reference the same is incorporated herein and made a part hereof.)

*On a motion by Director Joseph Bowman, seconded by Director Charles Caspary, the Board of Directors voted 5-0 to Approve by roll call vote the recommendations as presented.*

**ORDINANCE NO. 11-09-259: AN ORDINANCE OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT AMENDING ORDINANCE NO. 11-86-161 (LAS VIRGENES CODE) BY CREATING A SCHEDULE OF ADJUSTMENTS TO PASS-THROUGH WHOLESALE COST INCREASES.**

*AYES: Director(s) Bowman , Caspary , Peterson , Renger , Smith*

**8. FACILITIES AND OPERATIONS**

**A Memorandum of Understanding for the Relocation of a Portion of the District's 30" Pipeline at Temple Judea on Valley Circle Blvd. and Kittridge Street**

Approve the Memorandum of Understanding between Las Virgenes Municipal Water District and Temple Judea, and authorize the General Manager to execute the Memorandum of Understanding for and on behalf of the District.

*On a motion by Director Glen Peterson, seconded by Director Lee Renger, the Board of Directors voted 5-0 to Approve by roll call vote the recommendations as presented.*

*AYES: Director(s) Bowman , Caspary , Peterson , Renger , Smith*

**9. INFORMATION ITEMS**

**A Pandemic Action Plan and Proposed Resolution Establishing Emergency Powers for the General Manager**

**B Water Shortage Update - October 2009**

**10. NON-ACTION ITEMS**

**A Organization Reports(1) MWD a. Representative Report/Agenda(s)(2)Other**

(1) MWD Representative Peterson stated the Metropolitan Water District Regular Board Meeting of November 24, 2009 had been canceled.

(2) Directors Bowman and Renger reported on their attendance at the AWA meeting of November 19, 2009 discussions included Oxnard Plains, Groundwater and Desalination.

President Caspary discussed Santa Monica Bay Restoration Commission including their Journal and Malibu Creek Advisory Committee meeting.

Director Bowman reported on his attendance at the Urban Water Institute Conference of November 16-17, 2009, which included topics related to federal affairs issues for EPA; State and Local Water Boards.

**B Director's Reports on Outside Meetings**

**C General Manager Reports**

Director of Finance and Administration Schmidt provided the General Manager Reports on general business of the District including employee negotiations and the next Water Shortage Committee Meeting, which is scheduled for January 27, 2010.

**D Director's Comments**

Director Bowman commented on his concerns related to the potential blasting at Las Virgenes Reservoir for the proposed 5-million gallon tank and requested that when a full geological report is available along with the blasting studies they be presented to the Board of Directors for approval.

Director Renger requested staff monitor any legislation related to 3 non-native species (bullfrogs, crayfish and mosquitoes) per fundraiser discussion by Jared Diamond.

**11. FUTURE AGENDA ITEMS**


**12. CLOSED SESSION**

**A** Conference with District Counsel - Existing Litigation: (1) Cooper, et al. v. Calabasas Park Estates, et al.

The meeting adjourned into Closed Session at 6:18 p.m.

**13. OPEN SESSION AND ADJOURNMENT**

The meeting reconvened into Open Session at 6:20 p.m. and the Chair declared the meeting adjourned at 6:21 p.m.



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CHARLES CASPARY, President  
Board of Directors  
Las Virgenes Municipal Water District

ATTEST:



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GLEN PETERSON, Secretary  
Board of Directors  
Las Virgenes Municipal Water District

(SEAL)